

Capitol Connection

Issue 1

June 2002



Aloha. The 2002 Legislature recently came to a close. This issue of *Capitol Connection* gives a brief overview of some of the major bills that passed.

For more details, visit the website at www.capitol.hawaii.gov and the *Summary of Bills Passed* and the *Summary of Resolutions Adopted* prepared by the Legislative Reference Bureau Systems Office.

Please feel free to call me at 586-6130 should you have questions about other issues discussed this session.

Me ke aloha pumehana,

A handwritten signature in cursive script.

Suzanne Chun Oakland
State Senator
14th District

Update on the 2002 Legislature

Consumer Protection

Gasoline Price Caps (SB 2179 CD2) –

Requires the Public Utilities Commission to establish maximum pre-tax wholesale and retail gasoline prices based on an index of West Coast prices. Prohibits sales above the maximum prices, but allows for adjustments. Requires the Department of Business, Economic Development, and Tourism (DBEDT) to analyze fuel prices and conduct audits under the Petroleum Industry Reporting Act, and substantially increases civil penalties for reporting violations. Requires DBEDT to review documents from the State's gasoline antitrust case and the attorney general's investigation of the petroleum industry.

My vote on
SB2179 CD2 Floor
Amendment 10?
Yes.

My vote on
SB706 CD1?
Yes.

Hurricane Loss Mitigation Program (SB706 CD1)

– Requires the insurance commissioner to develop and implement a pilot program to encourage the installation of wind resistive devices. A portion of the interest earned from the principal of the Hawaii Hurricane Relief Fund (HHRF) will be used to fund this grant matching program for homeowners. The principal of the HHRF was kept intact.

Extension of the Residential Construction and Remodeling Income Tax Credit (SB2831 CD1) –

Extends the sunset date for the 4% tax credit from July 2, 2002 to July 2, 2003. Specifies that the taxpayer be the owner, developer, or lessee of residential real property. Redefines construction or remodeling cost to mean any costs for plans, design, construction, and equipment that is permanently affixed to the building or structure related to new construction, alterations or modifications to a residential apartment unit or house and shall not include any costs for which another income tax credit was claimed.

My vote on
SB2831 CD1?
Yes.

My vote on
SB1188 CD1?
Yes.

Crime & Public Safety

Drug Treatment for Nonviolent Drug Offenders (SB1188 CD1)

Requires first-time, non-violent drug offenders convicted of possession or use of any drug to be sentenced to probation with drug treatment, with the same sentence for first violation of terms and conditions of probation and parole. Establishes interagency coordination to oversee the development and implementation of offender substance abuse treatment programs to ensure compliance with the master plan under the criminal offender treatment act.

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Education

My vote on
SB2662 SD2?

Yes.

Charter School Conversion (SB2662 SD2) – Allows a nonprofit organization to operate and manage an existing public school as a new century conversion charter school. Requires a minimum 1:4 match between nonprofit organization resources and Department of Education (DOE) per-pupil allocations. Caps conversions at 25 schools and allows existing public schools to convert using the same process.

School Construction and Repair (HB1800, CD1 and SB2068, CD1)—\$110 million was appropriated for school repair and maintenance and \$100 million for public education facilities, bringing the total facilities funding to \$465 million for the 2001-2003 biennium.

My vote on
HB1800 CD1 and
SB 2068 CD1?

Yes.

Environment & Natural Resources

My vote on
HB1256
CD1?

Yes

Bottle Bill (HB1256 CD1) – Establishes a deposit beverage container program. Sets a fee of one-half cent for plastic and metal beverage containers beginning October 1, 2002, and one cent on all beverage containers beginning October 1, 2004, with moneys to be used to reimburse refunds and pay handling fees. Sets a deposit fee and refund value on every beverage container at five cents beginning January 1, 2005. Establishes various ways to redeem containers, including centers and reverse vending machines.

Energy Efficiency in State Facilities (SB2179 CD1) — Patterned after a Federal energy efficiency law passed by Congress last year, this bill requires each state agency to reduce energy consumption by 30% by January 1, 2012, relative to the calendar year 1990. Provides that each agency expand the use of renewable energy sources, reduce the use of petroleum, and reduce water consumption.

My vote on
SB2179
CD1?

Yes

My vote on
HB2723
CD1?

Yes

Food Waste Recycling (HB2723CD1) - Requires specified categories of food establishments to comply with food waste recycling based upon the average number of prepared meals served or sold per day. Authorizes each county to assess an annual food waste recycling surcharge based on the partial costs of recycling.

Health and Human Services

Health Insurance Rate Oversight (HB 1761 CD1) – Prohibits managed care plans from charging health insurance rates that are excessive, inadequate, unfairly discriminatory, or unreasonable in relation to benefits provided. Requires plans to submit rate filings to the Insurance Commissioner for approval. Establishes a reserves ceiling and requires that excess reserves be returned to enrollees or applied to reduce premium rates.

My vote on
HB1761
CD1?

Yes

My vote on
HB1245
CD1?

Yes.

Rainy Day Fund and Preservation of the Safety Net (HB1245 CD1) — The impact of the September 11, 2001 attack impacted States nationwide and negatively reduced revenues to support important programs. This bill appropriated out of the emergency and budget reserve fund funds for intergenerational programs; various rural hospitals throughout the State providing medical services to rural communities; oral health (dental sealant and dental hygiene) programs for children; partially restoring funds to the tobacco prevention and cessation trust fund; substance abuse treatment services; health services for the medically uninsured; family center programs; the Good Beginnings Alliance, a statutorily-created public-private sector organization, whose mission is to build a universal system of early childhood education and care for Hawaii; the Blueprint for Change, a statutorily-established organization, responsible to demonstrate a more pro-active system of care for children and families to prevent child abuse and neglect; preschool open doors program; and for homeless shelters and rent supplement payments.

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Prescription Drugs (HB2834 CD1) – Establishes the Hawaii Rx program, a pharmaceutical discount program for all Hawaii residents. Requires participating drug manufacturers to pay rebates to the State on drugs sold at a discount by participating pharmacists. Reimburses participating pharmacists. Establishes Hawaii Rx special fund.

My vote on
HB2834
CD1?
Yes.

My vote on
HB1950 CD1?
Yes.

Prescription Drugs (HB1950 CD1) — Establishes the Medicaid prescription drug expansion program and drug rebate special fund within the department of human services. Requires the department to obtain a waiver from the federal government to provide prescription drugs at Medicaid rates to qualified individuals, defined to be an individual whose income is at or below 300 per cent of the federal poverty level.

Hawaii Long Term Care Financing Act (HB2638 CD1) - Establishes a long term care financing program law. Defines long term care services to mean a broad range of supportive services needed by individuals with physical or mental impairments and have lost or never acquired the ability to function independently. Establishes a temporary board of trustees within the department of health's executive office of aging to serve from July 1, 2002, to June 30, 2003, and requires them to design a long term care financing program. A report is due to the 2003 Legislature.

My vote on
HB2638
CD1?
Yes.

My vote on
SB2416
CD2?
Yes.

Long Term Care Summit (SB2416 CD2, Floor Amendment 9) - Requires the executive office on aging to convene a long term care summit to bring together public and private organizations to collaborate to identify the types and quality of services, service delivery system, and service delivery policies to ensure the development of a comprehensive and affordable long term care system for the State.

Elderly Care (SB2881 SD1) - Extends the repeal date of PACE (program for all inclusive care for the elderly) at Maluhia to June 30, 2005. This demonstration program is the first State assisted living program providing long term care services to qualified individuals and serves as a model for other communities in the State to follow.

My vote on
SB2881 SD1?
Yes.

My vote on
HB2167 SD1?
Yes.

Transportation

Traffic Enforcement (HB2167 SD1) – Based on a district survey conducted this legislative session of residents in our community, residents were split on the issue of keeping or repealing the photo traffic enforcement program. The majority of residents who responded to the survey, however, favored keeping the red light intersection photo enforcement part of the law. This bill repeals the photo traffic enforcement program for speeding and red light violations. Requires the department of transportation to terminate all contracts with private entities for photo traffic enforcement services. Requires all moneys remaining in the photo enforcement revolving fund to be transferred to the state general fund. There were many legal issues surrounding the implementation of the program that needed to be addressed. The issue of traffic safety can be revisited by the Legislature again.

Special Number Plates for Military Service (HB1724, SD1, CD1) — Repeals the limit of special number plates (license plates) for military service to a noncommercial passenger vehicle, a noncommercial motorcycle or motor scooter.

My vote on
HB1724 SD1
CD1?
Yes.

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Capital Improvement Projects In or Impacting the 14th Senate District

Pacific Gateway Center: Plans, land acquisition, design, and construction for a community resource center and headquarters, \$1,000,000.

Kalihi YMCA: Design and construction for the expansion and renovation of the Kalihi YMCA, \$1,000,000.

Lanakila Health Center: TB Control Program space and new X-Ray equipment, \$425,000.

Maluhia Hospital: Blast chiller/blast freezer for kitchen production area, \$25,000. Walk-in refrigerator, \$56,000.

Lanakila Health Center: Replace air conditioning equipment, \$300,000.

Kuhio Park Terrace Resource Center: Design, construction, and equipment for the new center, \$7,347,000.

Kuhio Park Terrace Revitalization: Design and construction for the demolition and replacement of the Kuhio Park Terrace. Funds applied toward a U.S. Department of Housing and Urban Development Hope VI grant to meet the grant's leveraging requirement for matching funds, \$10,000,000.

Lanakila Multi-Purpose Senior Center: Design, construction, and equipment for renovations and improvements to the Center. Project includes health and safety improvements, accessibility improvements; equipment, and appurtenances, \$505,000.

Playground Equipment and Accessibility to the Equipment, Statewide: Design, construction, and equipment to replace playground equipment which do not meet safety standards, provide appropriate padding in the area of accessibility to the play areas/equipment per Americans with Disabilities Act accessibility guidelines (ADAAG); ground and site improvements; equipment and appurtenances, \$5,492,000.

Central Middle School: Design, construction, and equipment for the renovation of Building A, Phase I; ground and site improvements; equipment and appurtenances, \$5,590,000.

Roosevelt High School: Design, construction, and equipment for the renovation of Building A, Phase I; ground and site improvements; equipment and appurtenances, \$4,800,000.

Pre-School Facilities: Statewide, plans, land acquisition, design, and construction for pre-school facilities on school grounds; ground and site improvements; equipment and appurtenances, \$5,000,000.

Dole Intermediate School: Design and construction for the renovation of the band room; ground and site improvements; equipment and appurtenances, \$283,000.

Kaewai Elementary School: Design and construction for the stabilization of buildings; ground and site improvements; equipment and appurtenances, \$800,000.

Kawananakoa Middle School: Design, construction, and equipment for renovations and improvements to the music building. Project includes electrical, lighting, plumbing and P.A. system improvements; equipment and appurtenances, \$225,000. Design and construction for renovations and improvements to the auditorium to include the electrical, lighting and plumbing system; ground and site improvements; equipment and appurtenances, \$350,000.

Likelike Elementary School: Design, construction, and equipment for the installation of playground equipment; ground and site improvements; equipment and appurtenances, \$120,000.

Nuuanu Elementary School: Design and construction for landscaping improvements. Project includes drainage improvements, blacktop repavement, a turn around and related improvements, \$243,000.

Bishop Museum: Construction for the Museum's science learning center, \$5,000,000.

In addition, most of the schools in our district will have all their classroom buildings renovated this year or within the next two years. For a complete list of schools, please contact my office at 586-6130.

Kalakaua Middle School and Dole Middle School had all their classroom buildings renovated this past year.